

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed**

**Rule making related to deer hunting by residents**

The Natural Resource Commission (Commission) hereby amends Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6), 481A.39 and 481A.48(1).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 481A.39 and 481A.48(1).

*Purpose and Summary*

Chapter 106, which governs deer hunting by residents in the state of Iowa, sets regulations for deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rule making adopts three amendments to Chapter 106. First, general deer licenses are reestablished as valid in seven counties (Cerro Gordo, Franklin, Grundy, Hancock, Hardin, Winnebago, and Worth) for all seasons, and in all of northwest Iowa for the early muzzleloader season. Deer populations have been steadily increasing in the northwest, allowing for this increase in recreational opportunity for Iowa hunters.

Second, the January antlerless-deer-only season is rescinded for all counties. Due to a widespread outbreak of Epizootic Hemorrhagic Disease (EHD) in the summer of 2019, deer numbers and harvest have been down across much of the state.

Third, this rule making modifies the resident county antlerless-deer license quotas for a total of 23 counties. Quotas are increased in Clayton, Fayette, Floyd, Guthrie, Jackson, Jones, Lee, Mitchell, Tama, Washington, and Winneshiek Counties to reduce deer densities for disease control or to alleviate negative human-deer interactions. Quotas are decreased in Adams, Bremer, Fremont, Jefferson, Montgomery, Page, Poweshiek, Ringgold, Taylor, Union, Wapello, and Woodbury Counties to stabilize a healthy local population. Statewide, the overall proposed quota change is an increase of 125.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 6, 2020, as **ARC 5032C**. A public hearing was held on May 26, 2020, at 1 p.m. via video/conference call. No one attended the public hearing.

Seven comments were received during the public comment period. The most common comment (four) was there are too many deer in various locations of the state. Other comments included requests to close pheasant season during deer season (one), increase the number of depredation tags available (one), and make depredation tags valid for all seasons (one).

No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Commission on June 11, 2020.

### *Fiscal Impact*

This rule making has no negative fiscal impact to the state of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

### *Waivers*

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### *Effective Date*

This rule making will become effective on August 5, 2020.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **106.1(1)“a”** as follows:

*a. General deer licenses.* General deer licenses shall be valid for taking deer in one season selected at the time the license is purchased. General deer licenses shall be valid for taking deer of either sex except in Buena Vista, Calhoun, ~~Cerro Gordo~~, Cherokee, Clay, Dickinson, Emmet, ~~Franklin~~, Grundy, Hamilton, ~~Hancock~~, ~~Hardin~~, Humboldt, Ida, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Webster, ~~Winnebago~~, ~~Worth~~ and Wright counties during the ~~early muzzleloader~~ or first regular gun season when the general deer license will be valid for taking deer with at least one forked antler. Paid general deer licenses shall be valid statewide except where prohibited in deer population management zones established under 571—Chapter 105. Free general deer licenses shall be valid for taking deer of either sex only on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

ITEM 2. Rescind and reserve subrule **106.1(6)**.

ITEM 3. Rescind and reserve subrule **106.2(5)**.

ITEM 4. Rescind and reserve subrule **106.4(5)**.

ITEM 5. Rescind and reserve subrule **106.6(4)**.

ITEM 6. Amend subrule 106.6(6) as follows:

**106.6(6) Antlerless-deer-only licenses.** Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	<del>0</del> <u>100</u>	Monona	850
Adams	<del>1450</del> <u>1200</u>	Franklin	0	Monroe	2250
Allamakee	3800	Fremont	<del>300</del> <u>200</u>	Montgomery	<del>750</del> <u>500</u>
Appanoose	2700	Greene	0	Muscatine	775
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	<del>1950</del> <u>2150</u>	Osceola	0
Black Hawk	0	Hamilton	0	Page	<del>750</del> <u>500</u>
Boone	300	Hancock	0	Palo Alto	0
Bremer	<del>400</del> <u>300</u>	Hardin	0	Plymouth	0
Buchanan	300	Harrison	850	Pocahontas	0
Buena Vista	0	Henry	925	Polk	1350
Butler	150	Howard	450	Pottawattamie	850
Calhoun	0	Humboldt	0	Poweshiek	<del>300</del> <u>200</u>
Carroll	0	Ida	0	Ringgold	<del>1600</del> <u>1400</u>
Cass	400	Iowa	450	Sac	0
Cedar	775	Jackson	<del>975</del> <u>1100</u>	Scott	200
Cerro Gordo	0	Jasper	775	Shelby	0
Cherokee	0	Jefferson	<del>1650</del> <u>1500</u>	Sioux	0
Chickasaw	375	Johnson	850	Story	150
Clarke	2400	Jones	<del>950</del> <u>1100</u>	Tama	<del>200</del> <u>300</u>
Clay	0	Keokuk	450	Taylor	<del>1600</del> <u>1500</u>
Clayton	<del>3800</del> <u>4000</u>	Kossuth	0	Union	<del>1500</del> <u>1400</u>
Clinton	400	Lee	<del>1275</del> <u>1500</u>	Van Buren	2100
Crawford	0	Linn	850	Wapello	<del>1825</del> <u>1700</u>
Dallas	1875	Louisa	675	Warren	2700
Davis	1700	Lucas	2500	Washington	<del>750</del> <u>1000</u>
Decatur	2200	Lyon	0	Wayne	2700
Delaware	950	Madison	3000	Webster	0
Des Moines	800	Mahaska	475	Winnebago	0
Dickinson	0	Marion	1850	Winneshiek	<del>2500</del> <u>2700</u>
Dubuque	975	Marshall	150	Woodbury	<del>400</del> <u>300</u>
Emmet	0	Mills	500	Worth	0
Fayette	<del>2000</del> <u>2300</u>	Mitchell	<del>0</del> <u>100</u>	Wright	0

[Filed 6/11/20, effective 8/5/20]

[Published 7/1/20]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/1/20.